

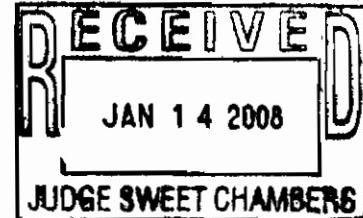


U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

January 14, 2008



By Facsimile – 212-805-7925

The Honorable Robert W. Sweet
United States District Judge
Southern District of New York
500 Pearl Street, Room 1920
New York, New York 10007

Re: United States v. Eric Rivera Rivera, a/k/a "Danny"
07 Cr. 871 (RWS)

Dear Judge Sweet:

The Government writes to inform Your Honor that the parties are engaged in plea discussions regarding the above-captioned matter, but have not yet reached a disposition and do not anticipate doing so before Wednesday's conference, scheduled for 4:30 p.m. Accordingly, the parties ask that this conference be adjourned for a period of approximately one week. I have been informed by Your Honor's deputy that January 23, 2008 at 4:30 p.m. is an available time

In addition, both parties consent to time being excluded under the Speedy Trial Act until the next conference that Your Honor sets. The parties maintain that the ends of justice served by taking this action outweigh the public's and defendant's interest in a speedy trial because this exclusion will allow the parties to engage in plea discussions.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

CLV
Christopher L. LaVigne
Assistant U.S. Attorney
(212) 637-2325

cc: Erika P. McDaniel, Esq. (by fax)